

vided for free transmission of official mail matter of legislative counsel. Official mail matter of Legislative Counsel of House of Representatives is covered by section 282d of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

PART I—PURPOSE, POLICY, AND FUNCTION

§ 281. Establishment

There is established in the House of Representatives an office to be known as the Office of the Legislative Counsel, referred to hereinafter in this subchapter as the “Office”.

(Pub. L. 91-510, title V, §501, Oct. 26, 1970, 84 Stat. 1201.)

EFFECTIVE DATE

Subchapter effective Oct. 26, 1970, see section 601(5) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

TRANSFER OF FUNCTIONS; NONAPPLICABILITY OF SECTIONS 271 TO 277 TO THE HOUSE

Section 531 of Pub. L. 91-510 provided that: “Any individual who on the date of the enactment of this Act [Oct. 26, 1970] is serving under an appointment by the Speaker as Legislative Counsel of the House of Representatives shall continue as Legislative Counsel of the House of Representatives in accordance with this subtitle [this subchapter]. All personnel, positions, property, records, and unexpended balances of appropriations of or for that part of the Office of the Legislative Counsel established under section 1303 of the Revenue Act of 1918 (2 U.S.C., ch. 9) [sections 271 to 277 of this title] employed or held in or for the House of Representatives shall be transferred to the Office established under this subtitle; and, effective upon the date of enactment of this Act, the provisions of section 1303 of the Revenue Act of 1918 shall have no further applicability of any kind to the Speaker or to any committee, officer, employee, or property of the House of Representatives.”

§ 281a. Purpose and policy

The purpose of the Office shall be to advise and assist the House of Representatives, and its committees and Members, in the achievement of a clear, faithful, and coherent expression of legislative policies. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House of Representatives, and shall not advocate the adoption or rejection of any legislation except when duly requested by the Speaker or a committee to comment on a proposal directly affecting the functions of the Office. The Office shall maintain the attorney-client relationship with respect to all communications between it and any Member or committee of the House.

(Pub. L. 91-510, title V, §502, Oct. 26, 1970, 84 Stat. 1202.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 281b of this title.

§ 281b. Functions

The functions of the Office shall be as follows:

(1) Upon request of the managers on the part of the House at any conference on the disagreeing votes of the two Houses, to advise and assist the managers on the part of the House in the course of the conference, and to assist the committee of conference in the preparation of the conference report and any accompanying explanatory statement.

(2) Upon request of any committee of the House, or any joint committee having authority to report legislation to the House, to advise and assist the committee in the consideration of any legislation before it, and to assist the committee in the preparation of drafts of any such legislation, amendments thereto, and reports thereon.

(3) Upon request of any Member having control of time during the consideration of any legislation by the House, to have in attendance on the floor of the House not more than two members of the staff of the Office (and, in his discretion, the Legislative Counsel) to advise and assist such Member and, to the extent feasible, any other Member, in the course of such consideration.

(4) Upon request of any Member, subject to such reasonable restrictions as the Legislative Counsel may impose with the approval of the Speaker on the proportion of the resources of the Office which may be devoted to the requests of any one Member, to prepare drafts of legislation and to furnish drafting advice with respect to drafts of legislation prepared by others.

(5) At the direction of the Speaker, to perform on behalf of the House of Representatives any legal services which are within the capabilities of the Office and the performance of which would not be inconsistent with the provisions of section 281a of this title or the preceding provisions of this section.

(Pub. L. 91-510, title V, §503, Oct. 26, 1970, 84 Stat. 1202.)

PART II—ADMINISTRATION

§ 282. Legislative Counsel

The management, supervision, and administration of the Office are vested in the Legislative Counsel, who shall be appointed by the Speaker of the House of Representatives without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(Pub. L. 91-510, title V, §521, Oct. 26, 1970, 84 Stat. 1202.)

§ 282a. Staff; Deputy Legislative Counsel; delegation of functions

(a) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Legislative Counsel shall appoint such attorneys and other employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the

Legislative Counsel with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(b)(1) One of the attorneys appointed under subsection (a) of this section shall be designated by the Legislative Counsel as Deputy Legislative Counsel. During the absence or disability of the Legislative Counsel, or when the office is vacant, the Deputy Legislative Counsel shall perform the functions of the Legislative Counsel.

(2) The Legislative Counsel may delegate to the Deputy Legislative Counsel and to other employees appointed under subsection (a) of this section such of his functions as he considers necessary or appropriate.

(Pub. L. 91-510, title V, §522, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 92-51, §101, July 9, 1971, 85 Stat. 132.)

AMENDMENTS

1971—Subsec. (b). Pub. L. 92-51 substituted provisions for designation of one attorney as Deputy Legislative Counsel to perform functions of Legislative Counsel during his absence or disability or when office is vacant and for delegation of functions to Deputy Legislative Counsel and other employees for former provisions for appointment of full-time Office Administrator to exercise management, supervisory, and administrative functions of the Office as delegated to him by the Legislative Counsel.

§ 282b. Compensation

(a) The Legislative Counsel shall be paid at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule of section 5314 of title 5.

(b) Members of the staff of the Office other than the Legislative Counsel shall be paid at per annum gross rates fixed by the Legislative Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of the rate of basic pay for one pay level above the maximum pay level for employees of the House of Representatives provided under clause 6(c) of Rule XI of the Rules of the House of Representatives.

(Pub. L. 91-510, title V, §523, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

REFERENCES IN TEXT

Clause 6(c) of Rule XI of the Rules of the House of Representatives, referred to in text, was amended generally for the One Hundred First Congress and, as so amended, does not refer to specific pay levels. The Rules were amended generally by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999, and, as so amended, provisions formerly appearing in clause 6(c) of Rule XI, as amended for the One Hundred First Congress, are now contained in clause 9(c) of Rule X.

CODIFICATION

Amendment by Pub. L. 95-94 is based on par. (2) of House Resolution No. 8, Ninety-fifth Congress, Jan. 4, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

House Resolution 312, 89th Congress, Mar. 31, 1965, which was enacted into permanent law by section 103 of Pub. L. 89-90, July 27, 1965, 79 Stat. 281, provided that effective Apr. 1, 1965, the compensation of the Legisla-

tive Counsel of the House of Representatives shall be at a gross per annum rate which is equal to the gross per annum rate of compensation of the Legislative Counsel of the Senate, and that the additional sums necessary to carry out this resolution shall be paid out of the contingent fund of the House until otherwise provided by law.

AMENDMENTS

1977—Subsec. (b). Pub. L. 95-94 substituted provisions authorizing compensation at a rate not in excess of the rate of basic pay for one pay level above the maximum pay level for House employees provided under cl. 6(c) of Rule XI of the Rules of the House of Representatives, for provisions authorizing compensation at per annum gross rates not in excess of a per annum gross rate equal to the rate of basic pay for level V of the Executive Schedule of section 5316 of title 5.

INCREASES IN COMPENSATION

Increases in compensation for House officers and employees under authority of Federal Salary Act of 1967 (Pub. L. 90-206), Federal Pay Comparability Act of 1970 (Pub. L. 91-656), and Legislative Branch Appropriations Act, 1988 (Pub. L. 100-202), see sections 60a-2 and 60a-2a of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

§ 282c. Expenditures

In accordance with policies and procedures approved by the Speaker, the Legislative Counsel may make such expenditures as may be necessary or appropriate for the functioning of the Office.

(Pub. L. 91-510, title V, §524, Oct. 26, 1970, 84 Stat. 1203.)

§ 282d. Official mail matter

The Legislative Counsel may send the official mail matter of the Office as franked mail under section 3210 of title 39.

(Pub. L. 91-510, title V, §525, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 92-51, §101, July 9, 1971, 85 Stat. 132.)

AMENDMENTS

1971—Pub. L. 92-51 substituted provision for Legislative Counsel to send official mail matter of the Office as franked mail under section 3210 of title 39, for former provision granting the Office the same privilege of free transmission of official mail matter as other offices of the United States Government.

§ 282e. Authorization of appropriations

There are authorized to be appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, such sums as may be necessary to carry out this subchapter and to increase the efficiency of the Office and the quality of the services which it provides.

(Pub. L. 91-510, title V, §526, Oct. 26, 1970, 84 Stat. 1203.)

CHAPTER 9A—OFFICE OF LAW REVISION COUNSEL

Sec.

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285d.

Establishment.

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Functions.

Law Revision Counsel.

Staff; Deputy Law Revision Counsel; delegation of functions.